

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Case No. 2:23-cv-00103-JRG-RSP

JURY DEMANDED

**DECLARATION OF JAMES S. TSUEI IN SUPPORT OF
PLAINTIFF HEADWATER RESEARCH LLC'S
OPENING CLAIM CONSTRUCTION BRIEF**

I, James S. Tsuei, declare and state as follows:

1. I am a member of the State Bar of California, an attorney at the firm of Russ August & Kabat, and counsel of record for Plaintiff Headwater Research LLC in the above-captioned action. I submit this declaration in support of Plaintiff's Opening Claim Construction Brief. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.

2. Attached as Exhibit 1 is a true and correct copy of U.S. Patent No. 8,406,733.

3. Attached as Exhibit 2 is a true and correct copy of U.S. Patent No. 9,198,117.

4. Attached as Exhibit 3 is a true and correct copy of U.S. Patent No. 9,615,192.

5. Attached as Exhibit 4 is a true and correct copy of Samsung's Patent Rule 4-2 Identification of Claim Constructions and Extrinsic Evidence, dated March 28, 2024.

6. Attached as Exhibit 5 is a true and correct copy of Samsung's Amended Patent Rule 4-2 Identification of Claim Constructions and Extrinsic Evidence, dated April 19, 2024.

7. Attached as Exhibit 6 is a true and correct copy of the Declaration of Don Turnbull, Ph.D., dated April 29, 2024.

8. Attached as Exhibit 7 is a true and correct copy of the Deposition Transcript of Don Turnbull, Ph.D., dated May 28, 2024.

9. Attached as Exhibit 8 is a true and correct copy of the Dictionary of Computer and Internet Terms (10th ed., 2009), definition of "agent", Bates No. SAM-HW-2_00215498.

10. Attached as Exhibit 9 is a true and correct copy of U.S. Patent App. Pub. 2006/0218395.

11. Attached as Exhibit 10 is a true and correct copy of excerpts from Samsung SDS Enterprise Mobility Management Installation Guide, dated January 2023, Bates No. HW103-00082010.

12. Attached as Exhibit 11 is a true and correct copy of U.S. Patent No. 9,800,708, Bates No. HW103-00082269.

13. Attached as Exhibit 12 is a true and correct copy of U.S. Patent No. 10,506,090, Bates No. HW103-00082218.

14. Attached as Exhibit 13 is a true and correct copy of Samsung's Petition for *Inter Partes* Review of U.S. Patent No. 9,198,117, Paper 2, IPR2024-00003, dated November 17, 2023.

15. Attached as Exhibit 14 is a true and correct copy of the Institution Decision in *Inter Partes* Review of U.S. Patent No. 9,198,117, Paper 8, IPR2024-00003, dated May 22, 2024.

16. Attached as Exhibit 15 is a true and correct copy of Samsung's Petition for *Inter Partes* Review of U.S. Patent No. 9,615,192, Paper 2, IPR2024-00010, dated November 17, 2023.

17. Attached as Exhibit 16 is a true and correct copy of the Institution Decision in *Inter Partes* Review of U.S. Patent No. 9,615,192, Paper 7, IPR2024-00010, dated May 23, 2024.

18. Attached as Exhibit 17 is a true and correct copy of Samsung's Petition for *Inter Partes* Review of U.S. Patent No. 8,406,733, Paper 4, IPR2024-00341, dated January 23, 2024.

19. Attached as Exhibit 18 is a true and correct copy of Samsung's Petition for *Inter Partes* Review of U.S. Patent No. 8,406,733, Paper 4, IPR2024-00342, dated January 23, 2024.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 30, 2024, at Los Angeles, California.

/s/ James S. Tsuei
James S. Tsuei